

Serial No. 09/916,679
Docket No. YOR20000305US1
YOR.234

REMARKS

In response to the Examiner's Election of Species requirement, Applicants hereby elect the species of Species I on which at least claim 44 is readable, with traverse. Applicants reserve the opportunity to file a Divisional Application for the non-elected species later.

Applicant notes that the Examiner alleges that the "species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1".

However, Applicant respectfully submits that merely alleging "lack of unity of invention" is not sufficient grounds for the Examiner to support a restriction requirement among the claims. Indeed, the Examiner must at least allege that claims recite mutually exclusive subject matter and that the claims recite patentably distinct subject matter.

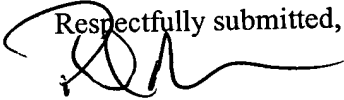
Therefore, the Examiner has not alleged sufficient grounds to support a restriction requirement in this case. Thus, Applicant respectfully requests reconsideration and withdrawal of the restriction requirement, and that all of the claims presently pending in the Application be examined by the Examiner.

Early, favorable prosecution on the merits is respectfully requested.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

A conditional petition is made for any extension of time which may become necessary. The Commissioner is authorized to charge any fees for such extension and to credit any overpayment in fees to Assignee's Deposit Account No. 50-0510.

Respectfully submitted,


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Date: 6/13/05

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